



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
RECOMMENDATION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT
TO MODIFY DEVELOPMENT STANDARDS AND CONDITION ENVIRONMENTAL
REVIEW**

Application Number: 3005022

Applicant Name: Seattle Parks & Recreation Department

Address of Proposal: 3901 Beacon Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to upgrade a public park (Jefferson Park) and expand over an abandoned public facility. The components of the project includes pedestrian pathways, two lighted tennis courts, two basketball courts, general play areas, nine additional parking stalls and the installation of picnic tables, benches, trash receptacles and landscaping. An Environmental Impact Statement dated June 2002 was prepared by Seattle Department of Parks and Recreation.

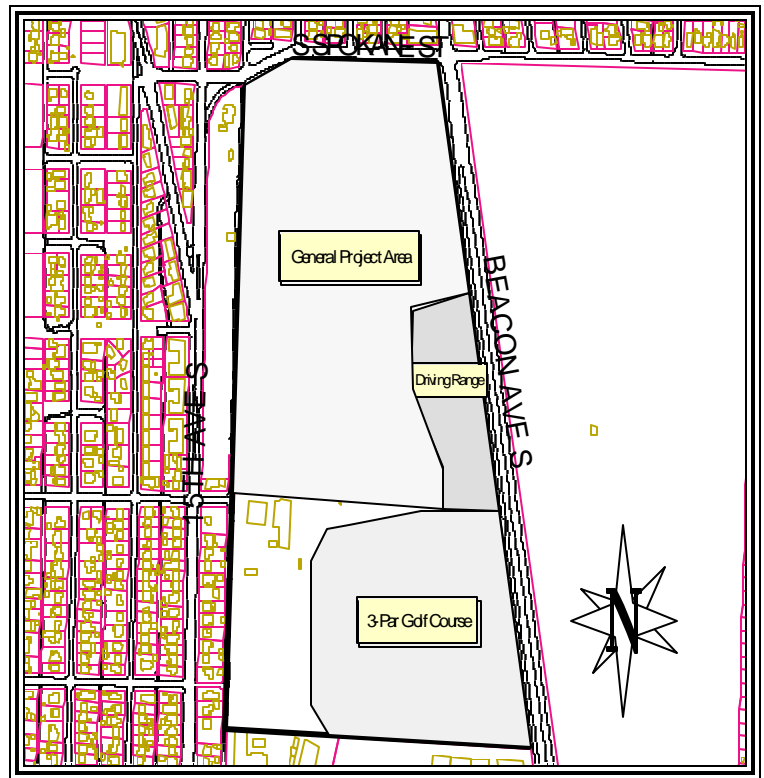
The following approvals are required:

Council Land Use Action to
Modify Development
Standards for City Facility to
Allow Additional Structure
Height for a City Facility
(allowed 30 feet, to a
proposed maximum height of 41 feet) (SMC Section 23.76.036)

SEPA - Environmental Conditioning (SMC Chapter 25.05)

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☒ EIS
☐ DNS with no conditions
☐ DNS involving non-exempt grading, or demolition, or
involving another agency with jurisdiction.

* An FEIS was prepared by the Seattle Department of Parks and Recreation, dated June 28, 2002.



BACKGROUND DATA

Site Description

Jefferson Park is located within a Single-Family 5000 (SF5000) zone and an Airport Height Overlay District. The park area is situated on Beacon Hill and is bounded by 15th Avenue South to the west, Beacon Avenue South to the east, South Spokane Street to the north and Puget Sound Health Care System's Veterans Administration Hospital and ASA Mercer Junior High School (Seattle Public Schools) to the south. The Park provides a variety of services and amenities to the general public, including areas dedicated to a Fire Station, 3-par golf course, a golf driving range, lawn bowling facilities, a horticultural building, Beacon North Reservoir and Beacon South Reservoir (currently an out-of-service open basin) and the Jefferson Community Center among others. Vehicular access to the park is taken off of Beacon Avenue South, an improved street with sidewalks, curbs, gutters and a parking median, which separates the on-street parking from the vehicular traffic associated with Beacon Avenue South.

Vicinity Description

The surrounding areas are primarily zoned SF 5000 with a few exceptions. Within the SF 5000 zone a number of uses can be found including an array of single family residences, a larger golf course to the east of Beacon Avenue South, and ASA Mercer Junior High School (Seattle Public Schools) to the south. Areas to the northwest of the site are zoned Lowrise 1, 2, 3 (L1, L2, L3) and developed with multi-family structures. The areas to the south are zoned L-3 with a Major Institution Overlay (MIO) and developed with the Puget Sound Health Care System's Veterans Administration Hospital. The areas to the north, along Beacon Avenue South are zoned L-2 and developed with multi-family structures.

Proposal Description

Land use application to upgrade Jefferson Park and expand over an abandoned public facility. The components of the project includes pedestrian pathways, two lighted tennis courts, two basketball courts, general play areas, nine additional parking stalls and the installation of picnic tables, benches, trash receptacles and landscaping. The current improvements proposed are only a portion of the improvements proposed in the FEIS issued by Parks & Recreation.

Rough grading for the site will be prepared by SPU as part of their project that is currently permitted and under construction (see below "Site & Permit History"). Project scope includes an exterior pedestrian loop with a series of interior pathways. Pedestrian scale luminaries, 16 feet in height, will be provided along the loop promenade for security at night. Landscape improvements will be made at 4 prominent perimeter locations to welcome visitors into the park. Nine additional on-site parking stalling will be located in the parking lot south of the Community Center.

Located along the northwestern portion of the loop is a play area that will include manufactured play structures, earthen berms and landscaping that creates rooms for the play areas. Two additional tennis courts, with 41 foot tall lighting, will be provided north of 2 existing tennis courts. The 2 existing tennis courts will be re-surfaced, new chain link fencing installed and the nets replaced. Two basketball courts will replace the existing basketball court south of the Community Center. The southeastern end of the loop will have niches carved into the hillside for picnic tables and benches that take advantage of expansive regional views. A portion of the remnant earthen berm from the reservoir in the Northwest corner of the site will be preserved as an overlook to enjoy views of the city. This will be similar in scale to the Kite Hill at Gasworks

Park. Benches will be provided at the top of the hill. Various picnic tables, benches and trash receptacles will be distributed throughout the park in conjunction with applicable uses.

Development above the buried southern reservoir will be left with a gravel aggregate in a temporary condition to receive synthetic turf as part of another project. Buildings on site include a new restroom facility that will be constructed in the center of the park development.

Site & Permit History

A SEPA for conditioning only (MUP#2500806) to allow construction of a 50 million gallon buried reservoir, the removal of the north and south reservoir and the grading of 132,000 cubic yards was published on November 24, 2005. A Determination of non-significance was issued by Seattle Public Utilities on June 6, 2005 for the same project.

Seattle Public Utilities (SPU) proposed to replace its 61 million gallon Beacon North Reservoir and 49 million gallon Beacon South Reservoir (currently an out-of-service open basin) with a new 50 million gallon buried reservoir concrete reservoir. The new reservoir would be located substantially within the footprint of the existing Beacon South Reservoir.

The concrete floor slab liner and side slopes on the Beacon North Reservoir would be demolished with the rubble spread out over the floor. Soil, available on-site from the current reservoir embankments, would be re-graded and use to create a soil cover over the broken concrete. The entire re-graded basin area would be planted/seeded with grass.

Construction of the new 50 million gallon buried reservoir would occur substantially within the footprint of the existing south reservoir basin. It may extend slightly beyond the existing south basin footprint on one or two sides for “best fitting” on the site. The existing concrete floor, in the south basin, would be removed and the excavated material would either be placed in the north basin as fill or, if deemed suitable, would be reused as backfill. The concrete on the side slopes would either be demolished or left in place during construction to help prevent erosion during construction. If the concrete side slopes are left in place, they would be covered with backfill after the reservoir is constructed. After construction of the new reservoir, the entire reservoir surface would be covered with one to two feet of soil and then planted/seeded with grass.

Public Comment

The application was deemed to be complete on January 10, 2007 and notice of application was sent on January 25, 2007. The 14 day public comment period ended on February 7, 2007.

Public comments were received through the public notice process. The commenter was generally supportive of the proposal and requested the City be mindful in the selection of appropriate lighting to avoid any unnecessary light spillover.

ANALYSIS—COUNCIL LAND USE ACTION

Public parks are City facilities permitted outright in SF 5000 zones. As is the case with many public facilities, the development standards of this zone constrain the facility in ways that hamper their fundamental purpose; to provide recreational opportunities. The Seattle Land Use Code sets a base height limit for structures in Single Family Zones at 30' (SMC 23.44.012). The Seattle Parks Department seeks a Council modification of the height development standards of the Single Family Zone as they relate to the proposed light poles. The eight proposed luminaries are designed to function properly at a mounting height of 40 feet in order to reduce the impacts of spill light and to provide adequate illumination for sports play at this location. The luminaries

extend approximately 1 additional foot over the 40-foot mounting poles for a total height of 41 feet. If the proposed lighting system pole height was limited to 30' it would not function properly. 30' tall poles would not provide enough height allowance in order to aim fixtures more accurately downward onto the tennis courts; thus, spill light and glare lighting onto surrounding residential properties would not be improved. It is for situations like this that section 23.76.064 of the Seattle Municipal Code includes provisions for the City Council to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City facilities.

In making a recommendation to Council, SMC 23.76.050 charges the Director to draft an evaluation of the proposal based on the standards and criteria for the approval sought and consistency with the applicable goals and objectives of Seattle's land use policies as referenced in SMC Chapter 23.12, the City's SEPA policies and any other applicable official City policies.

Outside of consistency with the SEPA policies, which are adequately described in the Parks Department's Determination of Non-Significance, the Land Use Code and Comprehensive Plan policies do not speak directly to issues of exterior lighting as described in SMC 23.44.008H except to reduce the adverse impacts from incompatible land uses. In this case, the park use is both permitted and compatible with surrounding residential uses. The general development standards for uses permitted outright simply state that "Exterior lighting shall be shielded and directed away from residentially zoned lots". However, applicable code and policy language does exist within SMC 23.44 to inform the Director's evaluation of this project.

On Feb 20, 2001 Ordinance 120266 was adopted by Council to allow taller lighting standards for public school playfield lighting where necessary to improve safety for athletic participants and minimize impacts of light trespass and glare. Set forth in this Ordinance and the amended Land Use Code sections are criteria that represent the most recent thinking with regard to this issue. Section 23.44.017B6 of the Code reads:

Light standards for illumination of athletic fields on new and existing public school sites will be allowed to exceed the maximum permitted height, up to a maximum height of one hundred (100) feet, where determined by the Director to be necessary to ensure adequate illumination and where the Director determines that impacts from light and glare are minimized to the greatest extent practicable. The applicant must submit an engineer's report demonstrating that impacts from light and glare are minimized to the greatest extent practicable. When proposed light standards are reviewed as part of a project being reviewed pursuant to Chapter 25.05, Environmental Policies and Procedures, and requiring a SEPA determination, the applicant must demonstrate that the additional height contributes to a reduction in impacts from light and glare.

This application is not a Public School site and therefore, is not eligible for the special exception process. However, with regards to the project's anticipated impacts, this code section is informative as it describes a situation under which additional pole height should be granted. The Director finds this section to be the code or policy language that is most apposite and that upon which a recommendation might be predicated. The following is a brief response to those impact areas that should be considered as described by the Single Family section of the code.

The proposed lighting for the tennis courts will consist of 1000 watt full cutoff metal halide luminaires on 35 foot concrete poles surrounding the courts. The luminaires will be mounted to a painted steel bracket that extends an additional five feet for a mounting height of 40 feet above grade. The brackets will be slightly upswept providing a 5 degree tilt to the luminaires. The proposed full cutoff luminaires provide extensive shielding of the lamp and reflector. The lamp

and reflector are located within the housing of the floodlight with the light delivered down to the court surface. The reflector is designed with forward throw optics to direct most of the light to the playing surface and not behind the luminaire. The slight tilt to the luminaires will provide a negligible amount of direct light above the plane of the luminaires. Proposed full cut-off lights will not produce glare that would interfere with traffic on Beacon Avenue South. Compared to the lighting at the existing tennis courts, which consist of older unshielded floodlights, the new full cutoff lights will produce much less glare and spill light.

This exemption will reduce the amount of impacts from light and glare into the neighborhood. The increased pole height allows the use of Full Cutoff lighting equipment which minimizes off-site glare impacts. Spill lighting will be negligible and will be well below current spill lighting recommendations of 1.1 ft-c maximum at residential property lines.

Conclusion

In making a recommendation to Council, SMC 23.76.050 charges the Director to draft an evaluation of the proposal based on the standards and criteria for the approval sought and consistency with the applicable goals and objectives of Seattle's land use policies as referenced in SMC Chapter 23.12, the City's SEPA policies and any other applicable official City policies.

Outside of consistency with the SEPA policies, which are discussed at length in the environmental documents prepared by the Parks Department, the Land Use Code and Comprehensive Plan policies do not speak directly to issues of the height of lighting standards in City parks. SMC 23.44.017 B6 allows light standards for illumination of athletic fields on public school sites in single family zones to exceed the maximum permitted height (30') of the single family zone up to a maximum of 100', when it is demonstrated that the additional height would contribute to a reduction in impacts from light and glare.

Public or private parks are principal uses permitted outright in single family zones. In this case, the use is both permitted and compatible with surrounding residential uses with impacts mitigated through siting and design considerations.

The proponent has considered the relationship of the project to the surrounding area in siting, design of the proposed light poles. The proponent's design constraints limit both spill light and glare. As proposed, the use will be compatible with current and future uses in the vicinity and is consistent with the SEPA and Land Use Policies of the Seattle Municipal Code. The Director recommends that the modification for additional height for poles and luminaires along the margins of the tennis courts be granted, as proposed.

RECOMMENDATION – COUNCIL CONCEPT APPROVAL

It is recommended that the proposed waiver to allow light poles up to 41 feet in height at this City Facility be **GRANTED**.

ANALYSIS - SEPA

The Seattle Department of Parks and Recreation disclosed the potential impacts from this project in an EIS issued on June 28, 2002. This information in the environmental documents, supplemental information provided by the applicant (plans, further project descriptions), and the experience of the lead agency with review of similar projects form the basis for this analysis and decision wherein substantive SEPA conditioning will be considered and imposed as warranted.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part:

"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations).

Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts are cited below.

Short-term Impacts

The following temporary or construction activities on this site could result in the following adverse impacts: construction dust and stormwater runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and public utilities; and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. In addition to these existing codes and policies, the Hearing Examiner has requested additional measures noted at the end of this proposal to further mitigate construction-related impacts. Therefore, further mitigation by imposing specific conditions is not necessary for these impacts.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include 1) increased bulk and scale from the additional lighting standards; 2) an increase in ambient noise due to increased play activity; 3) increased traffic and parking demand; and 4) increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope and are otherwise mitigated by constraints imposed through project design.

Light and Glare

The Parks Department has mitigated light and glare impacts by constraints imposed through project design. The proposed equipment for the pathway and area lighting will consist of 150 watt metal halide post top luminaires. To reduce the impacts from glare and spill light a flat lens style light with cutoff optics will be used in lieu of the globe style lights that currently exist at the site. The cutoff optics provide improved shielding as lamp and reflector are located within the housing of the light with the light directed down and not directly up into the sky. The lights will be mounted on 17' poles close to the intended areas of illumination.

The proposed lighting for the tennis courts will consist of 1000 watt full cutoff metal halide luminaires. The proposed full cutoff luminaires provide extensive shielding of the lamp and reflector and will be mounted to a painted steel bracket that extends an additional five feet for a mounting height of 40 feet above grade. The increased pole height allows the use of Full Cutoff lighting equipment which minimizes off-site glare impacts. Proposed full cut-off lights will not produce glare that would interfere with traffic on Beacon Avenue South. Spill lighting will be

negligible and will be well below current spill lighting recommendations of 1.1 ft-c maximum at residential property lines.

Parking & Traffic Flow

The additional parking proposed by the project would accommodate a portion of the increased demand expected. The existing on-site parking lots are well utilized, but on average days, have some excess capacity to accommodate increased demand. During average days, the existing and proposed parking supply is expected to accommodate the demand. Additionally, the on-street parking spaces are available during most hours of each weekday and weekend day along Beacon Avenue South abutting Jefferson Park. The levels of service (LOS) for the study area's street intersections would be impacted with small amounts of delay due to the proposal but the LOS for the intersections due to the proposal would still operate under the same LOS category if no improvements took place at Jefferson Park.

Impacts associated with traffic flow and parking are not anticipated to be significant in the Parks and Recreation Department Environmental analysis. The Director concurs with the Parks Department's findings in its SEPA analysis that no additional conditioning is warranted.

Summary

In conclusion, as disclosed in the environmental documents prepared by the applicant, several impacts on the environment would result from the proposed development. Existing codes and policies successfully address some of these impacts. The short-term and long-term impacts are not considered significant because the impacts are minor in scope and are otherwise mitigated by constraints imposed through project design.

DECISION - SEPA

The proposal is **APPROVED.**

COUNCIL APPROVAL CONDITIONS

None

SEPA CONDITIONS

None

Signature: (signature on file) Date: April 19, 2007
Mark Taylor, Land Use Planner
Department of Planning and Development
Land Use Services